

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEN NGUYEN,

Petitioner,

No. CIV S-03-2381 MCE GGH P

vs.

M. KNOWLES, Warden,

Respondent

ORDER

_____/

This habeas matter, in which petitioner proceeded with appointed counsel, was stayed pending exhaustion of petitioner's ineffective assistance of counsel claim and has now been stayed for more than five years. In the Order, filed on July 16, 2004, staying this case, petitioner was directed "immediately upon exhaustion" [of state court remedies] "to inform the court and respondent by filing an amended petition containing all of petitioner's exhausted claims." No such amended petition has been filed. Petitioner's counsel must show cause within ten (10) days why the stay in this matter should not be lifted.

IT IS SO ORDERED.

DATED: September 21, 2009

/s/ Gregory G. Hollows

GREGORY G. HOLLOWES
UNITED STATES MAGISTRATE JUDGE

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